

JC04 Rec'd PCT/PTO 06 OCT 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Maurizio LUALDI : Mail Stop: ACCOUNTING DIVISION
REFUND BRANCH

Serial No. 10/501,988 :

Filed July 21, 2004 : Attorney Docket No. 2004_1151A
Confirmation No. 3370

POSITIONING SYSTEM FOR DATA ACQUISITION

[Corresponding to PCT/EP03/00520

Filed January 22, 2002]

REQUEST FOR CLARIFICATION OF REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests a clarification of the \$130 refund credited to Deposit Account No. 23-0975 on April 25, 2005. A general refund code was given but after further examination, it appears to be a refund of the required late Oath or Declaration fee. Applicant asserts that the refund is incorrect.

This application was filed on July 21, 2004 without an executed Oath or Declaration. Applicant's attorney received a Notification of Missing Requirements dated January 26, 2005, which indicated that the non-executed document previously submitted to the PTO did not comply with PTO regulations. A copy of the notice is enclosed. An executed Declaration was filed on March 21, 2005, more than 30 months from the priority date. A \$130 fee was due and paid via check no. 67260 (copy enclosed).

We do not find this refund to be valid and hereby authorize a charge to our account in the amount of \$130 that was, according to our information, due to be paid the PTO. If there is any further reason for the refund, we ask for prompt clarification so that we may properly account for

these funds in our system. If there are any questions regarding this matter, please contact Kara Reade, Accounting Assistant, at (202) 721-8226.

Respectfully submitted,

Maurizio LUALDI

By _____



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October 6, 2005

2004_1151A



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PATENT ATTORNEYS

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65-270-550

03/21/05

PAID TO THE
ORDER OF THE COMMISSIONER OF PATENTS AND TRADEMARKS

\$130.00*

ONE HUNDRED THIRTY AND 00/100 DOLLARS

DOLLARS

LUALDI 10/501,988 1888 Late filing oath or decla 2004_1151A MSH 130.00

MEMO

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AUTHORIZED SIGNATURE

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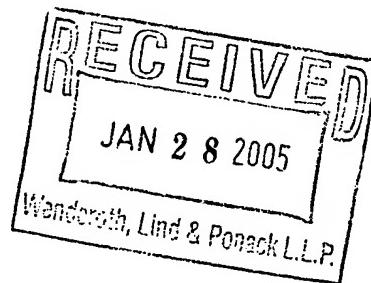
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO. ¹
10/501,988	Maurizio Lualdi	2004_1151A
		INTERNATIONAL APPLICATION NO.
		PCT/EP03/00520
		I.A. FILING DATE PRIORITY DATE
		01/17/2003 01/22/2002
CONFIRMATION NO. 3370		
371 FORMALITIES LETTER		
 *OC000000015029598*		

Date Mailed: 01/26/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/21/2004
- Copy of the International Search Report filed on 07/21/2004
- Information Disclosure Statements filed on 07/21/2004
- Oath or Declaration filed on 07/21/2004
- Request for Immediate Examination filed on 07/21/2004
- U.S. Basic National Fees filed on 07/21/2004
- Priority Documents filed on 07/21/2004
- Power of Attorney filed on 07/21/2004



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.